

Claims 59-131 were pending in this application. The Restriction Requirement, as issued, required restriction of the claims to one of nine inventions, as follows:

- I. Claims 59-131, drawn to single chain Fv antibody produced by hybridoma PTA-2442, classified in Class 530, subclass 387.1<sup>1</sup>;
- II. Claims 59-131, drawn to single chain Fv antibody produced by hybridoma PTA-2443, classified in Class 530, subclass 387.1<sup>1</sup>;
- III. Claims 59-131, drawn to single chain Fv antibody produced by hybridoma PTA-2444, classified in Class 530, subclass 387.1<sup>1</sup>;
- IV. Claims 59-131, drawn to single chain Fv antibody produced by hybridoma PTA-2445, classified in Class 530, subclass 387.1<sup>1</sup>;
- V. Claims 59-131, drawn to a mouse monoclonal antibody produced by hybridoma PTA-1746, classified in Class 530, subclass 387.1;
- VI. Claims 59-131, drawn to a mouse monoclonal antibody produced by hybridoma PTA-1747, classified in Class 530, subclass 387.1;
- VII. Claims 59-131, drawn to a mouse monoclonal antibody produced by hybridoma PTA-1748, classified in Class 530, subclass 387.1;
- VIII. Claims 59-131, drawn to a mouse monoclonal antibody produced by hybridoma PTA-1749, classified in Class 530, subclass 387.1; and
- IX. Claims 59-131, drawn to a mouse monoclonal antibody produced by hybridoma PTA-1750, classified in Class 530, subclass 387.1.

The Restriction Requirement additionally required that upon election of a group Applicants must also elect, as a species, a single SEQ ID NO.

The Examiner, however, has agreed to modify the original Restriction Requirement as set forth in the Interview Summary (paper number 11) mailed August 1, 2001, which summarizes the July 31, 2001 interview with Applicants' representatives. In particular, the Restriction Requirement has been modified such that any of Groups I-IV include not only single chain antibodies but also include intact antibodies and Fab fragments thereof.

In response, Applicants hereby elect, with traverse, to prosecute the claims of Group I. As a species, Applicants hereby elect to prosecute SEQ ID NO:66. Applicants have canceled claims 59-131 without prejudice to Applicants' right to pursue the subject matter of the canceled claims in related applications. New claims 132-264, directed to the elected subject

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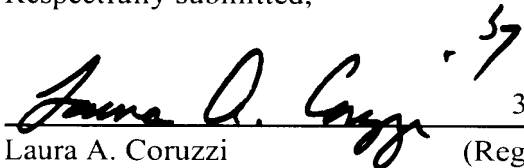
<sup>1</sup> It is noted that, contrary to the description in the Restriction Requirement, scFvs are not produced by hybridomas. Rather, plasmids producing scFvs were deposited with the ATCC®.

matter, have been added. Of these claims, it is estimated that claims 132, 254, 263 and 264 are generic and that dependent claims 133-163, 166, 167, 169-175, 178, 179, 181-186, 189, 190, 192-214, 216-221, 224-232, 235, 236 and 238-262 are readable upon the elected species. Support in the specification for the new claims can be found throughout, see, e.g., page 86, line 35 to page 106, line 23. Applicants assert that the new claims do not constitute new matter. Claims 132-206 are, therefore, pending in the instant application. A copy of the pending claims is attached hereto as Exhibit A.

Entry of the amendments and remarks made herein into the file of the above-identified application is respectfully requested.

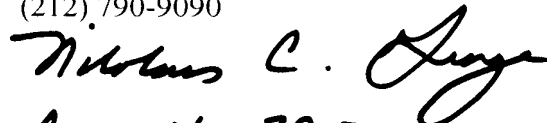
Respectfully submitted,

Date September 24, 2001

  
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Enclosures

  
Reg. No. 39,201